

the Hess Condensed Buttermilk Co., Jesop, Iowa, about September 1950. A copy of these circulars was handed to purchasers.

**LABEL, IN PART:** (Drum) "Hess' Condensed Buttermilk For Brood Sows and Laying Hens."

**NATURE OF CHARGE:** Misbranding, Section 502 (a), certain statements in the circulars accompanying the article were false and misleading. These statements represented and suggested that the article was effective in the prevention and treatment of the disease of pigs known as "necro" or necrotic enteritis, whereas the article was not effective in the prevention and treatment of such disease. The article was misbranded while held for sale after shipment in interstate commerce.

**DISPOSITION:** April 4, 1951. Default decree of condemnation. The court ordered that in lieu of destruction, the article be sold to the highest bidder, conditioned that it not be sold or otherwise disposed of in contravention of any law, and that it be disposed of solely for animal consumption. The court ordered further that the circulars accompanying the article be destroyed.

### FISH AND SHELLFISH

**17624. Misbranding of canned tuna. U. S. v. 13 Cases \* \* \*. (F. D. C. No. 30920. Sample No. 23705-L.)**

**LIBEL FILED:** April 13, 1951, District of Connecticut.

**ALLEGED SHIPMENT:** On or about March 22, 1951, by Wilbur-Ellis Co., Inc., from New York, N. Y.

**PRODUCT:** 13 cases, each containing 48 cans, of tuna at New Haven, Conn.

**LABEL, IN PART:** (Can) "Southern Seas Light Meat Tuna Contents 13 Ozs. Avoir."

**NATURE OF CHARGE:** Misbranding, Section 403 (e) (2), the product failed to bear a label containing an accurate statement of the quantity of the contents. The product was short of the declared weight.

**DISPOSITION:** July 20, 1951. Wilbur-Ellis Co., Inc., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the product be released under bond for relabeling under the supervision of the Federal Security Agency.

**17625. Adulteration of canned shrimp. U. S. v. 350 Cases, etc. (and 1 other seizure action). (F. D. C. Nos. 28309 to 28313, incl. Sample No. 45184-K.)**

**LIBELS FILED:** November 23, 1949; amended November 30, 1949.

**ALLEGED SHIPMENT:** On or about October 18, 1949, by the Southland Canning & Packing Co., from New Orleans, La.

**PRODUCT:** Canned Shrimp. 550 cases at St. Paul, Minn., and 300 cases at Minneapolis, Minn. Each case contained 24 5-ounce cans.

**LABEL, IN PART:** "Gulf Belle Brand Small Shrimp Wet Pack Drained Weight 5 Ozs."

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a decomposed substance by reason of the presence of decomposed shrimp.

**DISPOSITION:** July 19, 1950. The Brignac Canning Co., New Orleans, La., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the product be released under bond,

conditioned that the unfit portion be segregated under the supervision of the Food and Drug Administration. Segregation operations resulted in the destruction of 7 cases and 2 cans of the product.

**17626. Adulteration of frozen shrimp. U. S. v. 592 Cases \* \* \*. (F. D. C. No. 29984. Sample Nos. 85730-K, 85734-K.)**

**LABEL FILED:** November 6, 1950, Eastern District of Louisiana.

**ALLEGED SHIPMENT:** On or about September 19, 1950, from Aransas Pass, Tex.

**PRODUCT:** 592 cases, each containing 10 5-pound cartons, of frozen shrimp at Independence, La.

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a decomposed substance. It was adulterated while held for sale after shipment in interstate commerce.

**DISPOSITION:** July 31, 1951. Fortuna Foods, Inc., a California corporation, claimant, having consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the product be released under bond for segregation of the fit portion from the unfit portion and that the unfit portion be converted into fish bait, under the supervision of the Food and Drug Administration.

## FRUITS AND VEGETABLES

### CANNED FRUIT

**17627. Adulteration of canned cherries. U. S. v. 24 Cases \* \* \*. (F. D. C. No. 30894. Sample No. 28901-L.)**

**LABEL FILED:** April 5, 1951, Southern District of New York.

**ALLEGED SHIPMENT:** On or about February 17, 1951, by North Pacific Cannery & Packers, Inc., from Portland, Ore.

**PRODUCT:** 24 cases, each containing 6 6-pound, 7-ounce cans, of red, sour, pitted cherries at Ellenville, N. Y.

**LABEL, IN PART:** (Can) "Royal Garnet Brand Red Sour Pitted Cherries Packed in Water \* \* \* Packed By Producers Cooperative Packing Company Salem, Oregon."

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of maggots.

**DISPOSITION:** May 2, 1951. Default decree of condemnation and destruction. The court ordered that samples be delivered to the Food and Drug Administration and that the remainder be destroyed.

**17628. Adulteration of canned mandarin oranges. U. S. v. 43 Cases \* \* \*. (F. D. C. No. 31007. Sample No. 29026-L.)**

**LABEL FILED:** June 5, 1951, District of Oregon.

**ALLEGED SHIPMENT:** On or about February 15, 1951, by Mozaki & Co., Ltd., from Tokyo, Japan.

**PRODUCT:** 43 cases, each containing 24 1-pound, 14-ounce cans, of mandarin oranges at Portland, Ore.

**LABEL, IN PART:** "S & W Mandarin Oranges In heavy syrup Product of Occupied Japan."

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a decomposed substance.

**DISPOSITION:** October 5, 1951. Default decree of condemnation and destruction.